

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

JILL BABCOCK, MARGUERITE
MADDOX, and ASHLEY JACOBSON,
on behalf of themselves and
others similarly situated,

Case No. 22-cv-12951
Hon. Jonathan J.C. Grey

Plaintiffs,

v.

STATE OF MICHIGAN, COUNTY OF
WAYNE, CITY OF DETROIT, and
DETROIT-WAYNE JOINT BUILDING
AUTHORITY, jointly and severally,

Defendants.

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**ORDER DENYING STATE OF MICHIGAN'S
MOTION TO EXEMPT PARTICIPATION
IN SETTLEMENT CONFERENCE (ECF No. 139)**

On September 25, 2024, the Court referred this matter to Magistrate Judge Anthony P. Patti. On the same day, Judge Patti set a settlement conference for November 15, 2024.

On October 4, 2024, the State filed a motion to dismiss based on its alleged lack of ownership or responsibility for any of the properties at issue in this case, a motion it had indicated as long ago as May 14, 2024, during a scheduling conference with the Court, that it likely would file.

The response to the motion to dismiss is due November 8, 2024, and the reply is due November 22, 2024.

On October 24, 2024, the State filed a motion to be exempted from participation in the settlement conference. (ECF No. 139.) The State claims it will not get involved in settlement discussions because it does not have any ownership or responsibility for the buildings at issue.

The Court finds the State's requested relief is not warranted. First, the State did not object to the settlement conference at a status conference held on September 24, 2024. Second, even after Judge Patti set the settlement conference, the State waited a month to request exemption, including three weeks after filing the motion to dismiss that essentially relies on the same reasons the State seeks to be exempted. Third, although the State was not required to file the motion to dismiss earlier, the fact is that the Court did not have the opportunity to decide it in advance of the settlement conference based on the parties' agreement as to briefing; therefore, the State remains a party to the case.

For the reasons stated above, **IT IS ORDERED** that the State's motion to exempt participation in settlement conference (ECF No. 139) is **DENIED**.

IT IS FURTHER ORDERED that the State shall participate in the November 15, 2024 settlement conference before Judge Patti.

SO ORDERED.

Date: November 5, 2024

s/Jonathan J.C. Grey
Hon. Jonathan J.C. Grey
United States District Judge

Certificate of Service

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First-Class U.S. mail addresses disclosed on the Notice of Electronic Filing on November 5, 2024.

s/ S. Osorio
Sandra Osorio
Case Manager